

HOUSE BILL 2606

By Hardaway

AN ACT to amend Tennessee Code Annotated, Title 62,
Chapter 5, relative to funeral directors and
embalmers.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Section 62-5-313, is amended by adding the following language as a new subsection (f):

(f)(1) In addition to, and at the same time a funeral director provides the disclosure required pursuant to the 16 C.F.R. § 453 relative to unfair or deceptive acts or practices, the funeral director shall also provide the following written disclosure to the purchaser of a funeral service in bold typeface conspicuously larger than the information in the disclosure required by federal law:

It is a violation of state law under the provisions of Tennessee Code Annotated, Section 62-5-317(a)(7) and (b)(9) and (11) for this establishment to refuse to promptly surrender the custody of a dead human body upon the express order of the person legally entitled to the custody of the body.

If you believe I have or any person working for or associated with this funeral establishment has violated any of these provisions, you are entitled to call the local police or sheriff [here insert the proper telephone numbers] and report this violation.

In addition, you are entitled to report any suspected violation to the state board of funeral directors and embalmers at the department of commerce and insurance.

(2) The funeral director shall discuss this disclosure with the purchaser of the funeral service and obtain the purchaser's signature indicating that the purchaser understands the purchaser's lawful rights.

SECTION 2. Tennessee Code Annotated, Section 62-5-601(d), is amended by deleting the language "Any licensee" and by substituting instead the language "Except as provided in subsection (h), any licensee".

SECTION 3. Tennessee Code Annotated, Section 62-5-601, is amended by adding the following language as a new subsection (h):

(h) If disciplinary action is taken against a licensee by the board for violating § 62-5-313(f) or for any other violation of this chapter and the licensee is exempt from the continuing education requirements pursuant to subsection (d), the licensee shall not be permitted to claim such exemption for the year in which such action is taken or thereafter.

SECTION 4. This act shall take effect upon becoming a law, the public welfare requiring it.